



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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APR 24 2002

In re the Application of: **Shuji SAITOH et al.**

TECH CENTER 1600/2900

Serial Number: **09/147,052**

Group Art Unit: 1645

Filed: **April 5, 1999**

Examiner: **HINES, J.**

For: **NOVEL FUSED PROTEIN, GENE THEREFOR, RECOMBINANT VECTOR,  
RECOMBINANT VIRUS, AND ITS USE**

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**NOTICE OF APPEAL**

Commissioner for Patents  
Washington, D.C. 20231

Date: April 19, 2002

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated October 19, 2001 of the Primary Examiner finally rejecting claims 20-26.

The items checked below are appropriate:

1. **XX** A petition for **a three-month** extension of time to respond to the Final Rejection is being filed concurrently herewith.
2. **XX** A timely response to the Final Rejection has been filed on **March 18, 2002**, as provided in 37 C.F.R. 1.116.
3. **XX** Fee: **\$320.00**  
**XX** Enclosed (This paper is filed in triplicate.)  
Not required (fee paid in prior appeal)  
Charge to Deposit Account No. **01-2340** (This paper is filed in duplicate.)

In the event this Notice of Appeal is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this Notice.

Respectfully submitted,  
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